

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ENVIRONMENT AMERICA, D/B/A
ENVIRONMENT OHIO, AND LAKE ERIE
WATERKEEPER,

Plaintiffs,
v.

CAMPBELL SOUP SUPPLY COMPANY
L.L.C.,

Defendant.

Civil No. 3:24-cv-00515

Judge Jack Zouhary

UNITED STATES OF AMERICA,

Plaintiff,
v.

CAMPBELL SOUP SUPPLY COMPANY
L.L.C.,

Defendant.

Civil No. 3:24-cv-00523

Judge Jack Zouhary

**MOTION TO EXCUSE DEPARTMENT OF JUSTICE LEADERSHIP
FROM SETTLEMENT CONFERENCE**

Pursuant to the Order Setting Settlement Conference (“Order”), ECF No. 31, the United States files this Motion to excuse the Acting Assistant Attorney General of the Environment and Natural Resources Division from attending the Settlement Conference. The Order requires that a

“governmental entity must send a representative authorized to act on its behalf, and to bind the governmental entity up to the value of the . . . [government’s] claim” Order § A. The Settlement Conference is limited to the topic of an appropriate civil penalty.

This is a civil enforcement matter brought by the Justice Department on behalf of the Environmental Protection Agency (“EPA”) for numerous and ongoing violations of Defendant’s Clean Water Act Permit. The Acting Assistant Attorney General oversees a Division with nine litigating sections and over 500 attorneys, and it is not practical for him to attend the upcoming mediation. He has authorized Lila Jones, the Trial Attorney that will attend, to negotiate within an approved set of conditions. Further, the appropriate officials at the EPA have authorized certain settlement terms. Should additional consultation be necessary, Ms. Jones will be able to reach necessary supervisors by phone at all times.

This matter will include negotiations after the mediation regarding appropriate injunctive relief measures. Any agreement in this matter will be memorialized in a consent decree which will be subject to the review and approval of appropriate officials.

The United States therefore respectfully requests that the Acting Assistant Attorney General be excused from personally attending the Settlement Conference.

Respectfully Submitted,

ADAM R.F. GUSTAFSON
Acting Assistant Attorney General
Environment and Natural Resources Division

/s/ Lila Jones
LILA C. JONES (NM 148098)
SANYA SHAHRASBI (DC 1671001)
Trial Attorneys
Environmental Enforcement Section
Environment and Natural Resources Division
United States Department of Justice
P.O. Box 7611

Washington, D.C. 20044-7611
(202) 514-9859
lila.jones@usdoj.gov

CAROL M. SKUTNIK
Acting United States Attorney

JACKSON FROLIKLONG
Assistant United States Attorney
United States Court House
801 West Superior Avenue, Suite 400
Cleveland, OH 44113
(216) 622-3818
(216) 522-2404 (facsimile)
Joseph.Froliklong@usdoj.gov